

## REMARKS

In accordance with the foregoing, claims 15, 17, 19, and 21 have been amended. Accordingly, claims 1-22 are pending and under consideration.

### Rejection of Claims 1-22 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art in view of U.S. Patent 6,785,786 issued to Gold et al. (hereinafter referred to as "Gold"). This rejection is respectfully traversed.

The Admitted Prior Art and Gold, do not disclose, teach, or suggest at least, "building a baseline in the project file; backing up the selected files with the baseline, and updating a backup file database including information on storage addresses where the selected files are saved; and completing data backup by saving an updated backup file database in the project file," as recited in claims 1 and 8.

In item 4, pages 2-5 and 16, the Office Action implies that the Admitted Prior Art does not disclose "building a baseline in the project file; backing up the selected files with the baseline, and updating a backup file database including information on storage addresses where the selected files are saved," as recited in independent claims 1 and 8.

Instead, on page 4, the Office Action asserts that Gold teaches "A data backup and recovery system[s]... comprising...backing up data or files into a new baseline area in supporting the data backup and recovery process as well as updating data file via its byte size and arrangement and address updating..." and appears to assert that this teaching discloses, "building a baseline in the project file; backing up the selected files with the baseline, and updating a backup file database including information on storage addresses where the selected files are saved," as recited in claims 1 and 8.

However, Gold does not disclose "a project file." Therefore, Gold cannot disclose, "building a baseline in the project file," as recited in claims 1 and 8, and Gold cannot disclose, "completing data backup by saving an updated backup file database in the project file," as recited in claims 1 and 8. Therefore, for at least these reasons, claims 1 and 8 are patentably distinguishable from the cited prior art.

Claims 2-7 depend from claim 1 and include all of the features of claim 1, and claims 9-14 depend from claim 8 and include all of the features of claim 8. Therefore, for at least these reasons, claims 2-7 and 9-14 are also patentably distinguishable from the cited prior art.

Similarly, the Admitted Prior Art and Gold, do not disclose, teach, or suggest at least, "building a first baseline comprising information on when a backup of a first plurality of files will occur, wherein the first baseline is built in a project file," as recited in claims 15 and 17. Therefore, claims 15 and 17 are patentably distinguishable over the cited prior art.

Claims 16 depends from claim 15 and includes all of the features of claim 15, and claim 19 depends from claim 17 and includes all of the features of claim 17. Therefore, for at least these reasons, claims 16 and 18 are also patentably distinguishable from the cited prior art.

Similarly, the Admitted Prior Art and Gold do not disclose, teach, or suggest at least, "selecting a first baseline built in a project file, wherein the first baseline comprises information on when a first plurality of files were backed-up," as recited in claims 19 and 21. Therefore, claims 19 and 21 are patentably distinguishable over the cited prior art.

Claim 20 depends from claim 19 and includes all of the features of claim 19, and claim 22 depends from claim 21 and includes all of the features of claim 21. Therefore, for at least these reasons, claims 20 and 22 are also patentably distinguishable from the cited prior art.

Accordingly, withdrawal of this rejection is respectfully requested.

Summary

Claims 1-22 are pending and under consideration. It is respectfully submitted that none of the references taken alone or in combination disclose the present claimed invention.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 10/625,680

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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